

From: Ed Storm
To: Microsoft ATR
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Subject: Microsoft Settlement

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Under the Tunney Act, I wish to comment on the Microsofts settlement's inadequacy in improving the competitive environmenbt of the software industry. I am sure you have recieved many such comments, my main concern is with the lack of consideration for open source projects whose goal is to interoperate with the MS-Windows platform. Specifically the stipulation in the settlement (Section J.2.c) Microsoft does not need to make ANY API available to groups that fail to meet "reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business." This basically allows Microsoft to refuse to share ANY information with open source projects, as these projects are usually undertaken on a not-for-profit basis. I suggest that the language be added to the above section specifically prohibiting Microsoft from discriminatiing against not-for-profit open-source projects.

Regards,

Edward Storm